

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA. CRIMINAL ACTION NO. 05-10048-RCL

V. . BOSTON, MASSACHUSETTS
. SEPTEMBER 6, 2006

MANUEL DISLA, et al .
(CARLOS RAMIREZ) .

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TRANSCRIPT OF HEARING
REGARDING BAIL REVOCATION
BEFORE THE HONORABLE ROBERT B. COLLINGS
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

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Proceedings recorded by digital sound recording,
transcript produced by transcription service.

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I N D E X

Proceedings

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P R O C E E D I N G S

COURT CALLED INTO SESSION

THE CLERK: The case of the United States v. Carlos Ramirez, Criminal Action No. 05-10048 will now be heard before this Court. Counsel, please identify themselves for the record.

MS. RUE: Good afternoon, Your Honor, Nancy Rue for the United States.

THE COURT: Good afternoon.

MR. VOCCOLA: Good afternoon, Your Honor, Joseph Voccola representing Mr. Ramirez.

THE COURT: All right, good afternoon. Give me a moment to read this memorandum.

PAUSE

THE COURT: All right, Mr. Ramirez, if you'd stand please. You've been arrested on - I'm not sure you've been arrested. Has the defendant been arrested?

MS. RUE: I believe he was arrested today, Your Honor, by the marshals.

THE COURT: All right. Judge Lindsay issued a warrant?

MS. RUE: Yes, Your Honor.

THE COURT: All right. You've been arrested on a warrant that's been issued by Judge Lindsay alleging that you violated the terms and conditions of your pretrial release.

1 There is a memorandum from Mr. Cronin that sets forth these
2 violations. Have you received a copy of that, sir?

3 THE DEFENDANT: Yes, Your Honor.

4 THE COURT: It basically charges that you committed
5 new crimes and you were untruthful in responses to your
6 probation officer or as to information you gave your probation
7 officer. All right, you may be seated.

8 What is the government's position?

9 MS. RUE: Your Honor, we move that he be revoked.

10 THE COURT: All right. What is the defendant's
11 position, Mr. Voccola?

12 MR. VOCCOLA: Your Honor, we respectfully disagree.

13 THE COURT: Okay.

14 MR. VOCCOLA: When will the parties be ready for a
15 revocation hearing, Ms. Rue?

16 MS. RUE: Your Honor, if it's possible to set it for
17 the week after next I would appreciate it simply because I'm in
18 trial.

19 THE COURT: No, that's too far in advance.

20 MS. RUE: Okay.

21 THE COURT: Are you in trial full days?

22 MS. RUE: In that case I'm available whenever.

23 THE COURT: Are you full days?

24 MS. RUE: No, Your Honor.

25 THE COURT: Oh. We can do it in the afternoon or you

1 can get a--

2 MS. RUE: Get a substitute.

3 THE COURT: --someone else from the office to handle
4 the matter.

5 MS. RUE: Yes, Your Honor.

6 THE COURT: How about you, Mr. Voccola, when are you
7 available?

8 MR. VOCCOLA: I'm sure I can make arrangements, Your
9 Honor, if you can let me know what day I'll be there. I would
10 just ask if it would not be on the 12th. That's a primary
11 election day in Rhode Island--

12 THE COURT: Okay.

13 MR. VOCCOLA: --and I've been court excuse, that I am
14 a state representative in that state.

15 THE COURT: Okay.

16 PAUSE

17 MS. RUE: Your Honor, might it be possible to do it
18 this coming Friday September 8th?

19 THE COURT: Would you be available on Friday Mr.
20 Voccola, two days from now?

21 MR. VOCCOLA: Yes, Your Honor. Would that be in the
22 afternoon?

23 THE COURT: Yeah, it would really have to be about
24 1:45 cause I'm booked from then on till four o'clock. So I can
25 have you do it at 1:45 on Friday the 8th.

1 MR. VOCCOLA: That's fine, Your Honor.

2 I have--

3 MS. RUE: May I confer briefly with pretrial?

4 THE COURT: Sure.

5 MR. VOCCOLA: I have a matter before Judge Torres in
6 federal court in Rhode Island at 10 o'clock, Your Honor, but
7 it'll - I'm sure it'll conclude.

8 THE COURT: You'll have enough time to get here?

9 MR. VOCCOLA: Yeah. I'm sure--

10 THE COURT: Okay.

11 MR. VOCCOLA: --it'll be fine.

12 MS. RUE: Your Honor, if we could that would be
13 terrific. Thank you.

14 THE COURT: All right, the revocation hearing is
15 scheduled for 1:45 on Friday the 8th. The defendant is remanded
16 to the custody of the United States Marshal to be returned at
17 that time. Anything further from the government?

18 MS. RUE: No, Your Honor. Thank you.

19 THE COURT: Anything further, Mr. Voccola?

20 MR. VOCCOLA: No. Thank you, Your Honor.

21 THE COURT: All right. Thank you.

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CERTIFICATION

I, Maryann V. Young, court approved transcriber, certify that the foregoing is a correct transcript from the official digital sound recording of the proceedings in the above-entitled matter.

/s/ Maryann V. Young

July 10, 2008

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